

Remarks/Arguments

This paper is submitted responsive to the office action mailed January 22, 2009. Reconsideration of the application in light of the accompanying remarks and amendments is respectfully requested.

Turning to the action, first the Examiner rejected claims 12-17 and 20-39 under 35 USC 112, first paragraph, indicating that the specification did not teach or describe PVA2 as having a degree of polymerization in the range of 50-100. By the present amendment, claim 12 is amended to recite a range of 50-1000, which is consistent with the specification at paragraph [0011]. With this amendment, the claims are submitted to be completely proper under 35 USC 112, first paragraph.

Next, the Examiner rejected claims 20-27 and 31-35 under 35 USC 112, second paragraph as indefinite. By the present response, the terms "preferably" and "optionally" have been removed from the claims, and claims 31-35 have been cancelled without prejudice. The claims as amended are submitted to comply with 35 USC 112, second paragraph.

The next issue raised in the office action is a rejection of claims 12-17 and 20-39 under 35 USC 102(b). Supporting this rejection, the Examiner states that the abstract, col 2, lines 10-13 and claim 1 of the Kohno reference teach two polyvinyl alcohols, "one having MW's from about 5000 to about 40,000 and the other having MW's from about 90,000 to about 150,000". This subject matter is not mentioned anywhere in the locations mentioned by the Examiner, and the undersigned cannot find this teaching anywhere else in the cited patent either. Thus, the rejection is obviously incomplete or not properly supported, and withdrawal of the rejection is respectfully solicited.

An earnest and thorough effort has been made to respond to all issues raised in the action, and it is submitted that the claims are in condition for allowance over the art of record.

If, upon consideration of this response, the Examiner is of the opinion that issues remain which could be addressed by

telephone interview, the Examiner is invited to telephone the undersigned to discuss and resolve same.

It is believed that no fee is due in connection with this response. If any fee is due, please charge such fee to Deposit Account 02-0184.

Respectfully submitted,
Rolf Muller et al.

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